



Planning Commission Meeting
March 17, 2021 5:30 PM

Virtual Meeting by ZOOM
Meeting ID: **849 3154 6724**

Tim Haupert called the Planning Commission meeting to order at 5:30 p.m.

PRESENT: Mayor Cegelka, Jeff Adie, Kel Billings, Scott McColl, Tim Haupert

OTHERS PRESENT: Law Director Mark Marong, Building Commissioner Bob Rodic, Engineer Mike Henry,

PUBLIC HEARING:

Public Hearing for the purpose to discuss approval of a Conditional Use Permit to allow outdoor storage of material, equipment and fleet vehicles at 7620 Bond Street, Asphalt Fabrics & Specialties, Inc.

The Public Hearing opened at 5:31 PM. There being no comments, the Public Hearing closed at 5:32 PM.

Public Hearing for the purpose to discuss approval of a Conditional Use Permit to allow outdoor storage of material, equipment, and fleet vehicles at 7710 Bond Street, Asphalt Fabrics & Specialties, Inc.

The Public Hearing opened at 5:33 PM. There being no comments, the Public Hearing closed at 5:34 PM.

Public Hearing for the purpose to discuss Variance Request for installation of a storage vessel at 7710 Bond Street, Asphalt Fabrics & Specialties, Inc.

The Public Hearing opened at 5:34 PM. There being no comments, the Public Hearing closed at 5:35 PM.

Motion by Jeff Adie second by Kel Billings to approve the minutes of the February 17, 2021 Planning Commission Meeting.

Yeas—Mayor Cegelka, Adie, Billings, McColl, Haupert
5 yeas – 0 nays

Motion carried

OLD BUSINESS:

None

NEW BUSINESS:

REQUEST FOR SITE APPROVAL OF AN ACCESSORY BUILDING AT 7540 PINECREST LANE:

Building Official Bob Rodic reported; VanWayne Chaney, the owner of the property at 7540 Pinecrest Lane is requesting site and design approval to authorize the construction of a 22' x 18' x 18' high (396 s.f.) accessory building in the rear yard of the property which is 40,405 s.f. in area. The property is in the Country Home District. The structure is built of wood frame construction designed to mirror the appearance of the main structure. The shed will be setback 20'-0" from the side and rear property lines in the southwest corner of the lot. The application includes a site plan, an aerial view of the site, construction documents, with building elevations, and an image of the main structure. The HOA approval is also included.

Mark Marong requested, if approved the motion should state the structure is not to be used for motor vehicle storage, according to the code.

Tim Haupt spoke on behalf of the HOA; the HOA approved a revised plan of the accessory building with the addition of dormers added to the structure.

Motion by Jeff Adie second by Mayor Cegelka for site approval of an accessory building at 7540 Pinecrest Lane not to be used for motor vehicle storage.

Yeas—Mayor Cegelka, Adie, Billings, McColl

4 yeas – 0 nays

1 abstain-Haupt

REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW THE OUTDOOR STORAGE OF MATERIALS, EQUIPMENT, AND FLEET VEHICLES AT 7620 BOND STREET, ASPHALT FABRICS & SPECIALTIES, INC.

Building Official Bob Rodic reported; the applicant, Kevin Slivka representing Asphalt Fabrics & Specialties located at 7620 Bond Street is requesting a renewal of a conditional use permit to allow for outdoor storage on the property. The property is zoned Limited Industrial District. The property previously housed Western Reserve Asphalt. Table 1139.02, Section 1139.02(7)(F) permits outdoor storage of materials and equipment in a limited industrial district as a conditional use by applying use-specific standards set forth in Section 1147.02(j). Section 1147.02(j) permits the issuance of a conditional use permit allowing the outdoor storage of materials by the Planning Commission for up to a two (2) year period, and allows that such permit may be renewed, provided the outdoor storage is and remains in compliance with the conditions contained within the code and any additional conditions prescribed by the Planning Commission. Mr. Slivka submitted the Outdoor Storage Questionnaire, a site plan indicating the location for the storage, an aerial view of the property, site photographs of the landscaping, and minutes from the previous approval. The plan complies with the specific use standards applied to the outdoor storage of materials in Section 1147.02(j).

Jeff Adie questioned if this is the same company that is located at 7710 Bond Street and if it will be the same type of materials stored. Bob Rodic commented; it is the same company. The equipment that is normally used within their application such as aggregate and dump trucks will be stored. The aggregate will be stored behind the pine trees and the dump trucks will be stored behind the building rather than screened.

Engineer Mike Henry stated; a drainage easement is located on the west side of the property. That area needs to be kept free of any debris and clear of storage.

Mark Marong requested the motion state no materials or vehicles shall be placed or stored on the Village property near the easement area.

Motion by Tim Hauptert second by Mayor Cegelka for approval of a Conditional Use Permit to allow the outdoor storage of materials, equipment, and fleet vehicles at 7620 Bond Street, Asphalt Fabrics & Specialties Inc. keeping the area within the Village easement free of debris and clear of storage.

**Yeas—Mayor Cegelka, Adie, Billings, McColl, Hauptert
5 yeas – 0 nays**

Motion carried

**REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW THE
OUTDOOR STORAGE OF MATERIALS, EQUIPMENT, AND FLEET VEHICLES AT 7710
ASPHALT FABRICS & SPECIALTIES, INC:**

Building Official Bob Rodic reported; the applicant, Kevin Slivka representing Asphalt Fabrics & Specialties Located at 7710 Bond Street is requesting a renewal of a conditional use permit to allow for outdoor storage on the property. The property is zoned Limited Industrial District. Table 1139.02, Section 1139.02(7)(F) permits outdoor storage of materials and equipment in a limited industrial district as a conditional use by applying use-specific standards set forth in Section 1147.02(j). Section 1147.02(j) permits the issuance of a conditional use permit allowing the outdoor storage of materials by the Planning Commission for up to a two (2) year period, and allows that such permit may be renewed, provided the outdoor storage is and remains in compliance with the conditions contained within the code and any additional conditions prescribed by the Planning Commission. Mr. Slivka submitted a letter regarding the application, the Outdoor Storage Questionnaire, a site plan indicating the location for the storage, an aerial view of the property, site photographs, and minutes from the previous approval on pages. The plan complies with the specific use standards applied to the outdoor storage of materials in Section 1147.02(j).

Mike Henry commented; the drainage easement located on the west side needs to be maintained and kept free of debris and clear of storage.

Motion by Tim Hauptert second by Jeff Adie for approval of a Conditional Use Permit to allow the outdoor storage of materials, equipment, and fleet vehicles at 7710 Bond Street, Asphalt Fabrics & Specialties Inc. keeping the area within the Village easement free of debris and clear of storage.

**Yeas—Mayor Cegelka, Adie, Billings, McColl, Hauptert
5 yeas – 0 nays**

Motion carried

**VARIANCE REQUEST FOR INSTALLATION OF A STORAGE VESSEL LOACTED
AT 7710 BOND STREET, ASPHALT FABRICS & SPECIALTIES, INC:**

Building Official Bob Rodic reported; the applicant, Kevin Slivka representing Asphalt Fabrics & Specialties located at 7710 Bond Street is seeking a variance for the placement of an accessory structure on the property. The property is zoned Limited Industrial District and is bordered by the Country Home District to the west. The accessory structure is a twenty-foot, six-inch (20'-6") high, ten-foot (10') diameter storage vessel for a liquid asphaltic-binding product associated with the use of the business. The storage vessel will be located in the southwest corner of the lot, fifteen (15') feet from the rear and side property lines. Glenwillow Table 1139.04 requires a twenty-five (25') foot side yard setback to a non-residential district, in this case to the south and a one-hundred thirty-foot (130') rear yard setback when located adjacent to the Country Home District, in this case to the west. Mr. Slivka has submitted a letter with supporting information regarding the variance request that is included in the application along with the site plan aerial view of the property, and an image of the vessel. He has also indicated he is planning on planting four (4) Norway Spruce trees spaced 10' center to center to assist in screening the structure. Bob has had a discussion with the Oakwood Fire Department Safety Inspector Brian DiRocco regarding the need for other safety mechanisms, such as the installation of bollards and a secondary containment in case the material stored would inadvertently leak out. The second containment would be a mote around the vessel. The materials inside are not considered hazardous material.

Kevin Slivka entered the meeting at 6:02 PM. Mr. Slivka commented on the second containment around the vessel; there will be concrete block around the tank for containment. Liquid asphalt will be stored in the tank at approximately 300 degrees. If the liquid were to escape it will begin to cool and not travel far. The container is sealed, and no fumes will be emitted from it.

Mark Marong commented; the item on the agenda is for a variance. Mr. Slivka is looking for a one-hundred fifteen (115') foot variance and questioned if the bollards change the requested variance.

Minke Henry commented; there is no set back therefore it can be placed right up to the easement line.

Mark Marong commented; the request then needs to be modified. The structure will be to be shifted to the east and the request will be to go up to the easement line, no closer than thirty (30') feet from the property line.

The request is modified to be a one-hundred ten (110') foot variance with a thirty (30') foot set back in the rear.

Jeff Adie questioned Mr. Slivka as to why he is not centering the structure more north and south so a variance is not required. Mr. Slivka commented; they are trying to use the building to block the tank from Bond Street. If it is centered it will be more visible. Jeff Adie questioned if the tank is fully above ground or is the bottom portion below the ground. Mr. Slivka answered; the tank is fully above ground, and he will be planting trees to assist with screening the tank.

Mayor Cegelka questioned if there is any noise that will come from the tank after hours. Mr. Slivka stated the tank will not make any noise or odor.

Mark Marong commented; two sperate motions should be made. One for the rear set back and one for the side setback.

Motion by Tim Hauptert second by Mayor Cegelka to approve a rear yard setback variance from one-hundred thirty (130') feet to thirty (30') feet from the rear property line, staying out of the Village's stormwater easement, and subject to any approvals necessary from the Oakwood Fire Department.

**Yeas—Mayor Cegelka, Adie, Billings, Hauptert, McColl
5 yeas – 0 nays**

Motion carried

Motion by Jeff Adie second by Tim Hauptert to approve a side yard setback variance from twenty-five (25') feet to fifteen (15') feet from side rear property line, subject to any approvals necessary from the Oakwood Fire Department.

**Yeas—Mayor Cegelka, Adie, Billings, Hauptert, McColl
5 yeas – 0 nays**

Motion carried

**REQUEST FOR SITE PLAN APPROVAL OF A STORAGE VESSEL AT 7710 BOND STREET,
ASPHALT FABRICS & SPECIALTIES:**

Motion by Jeff Adie second by Mayor Cegelka for site plan approval of a storage vessel at 7710 Bond Street subject to necessary approvals from the Oakwood Fire Department including the placement of bollards, secondary containment, planting trees for screening, storage vessel not being placed within the Village's easement area.

**Yeas—Mayor Cegelka, Adie, Billings, Hauptert, McColl
5 yeas – 0 nays**

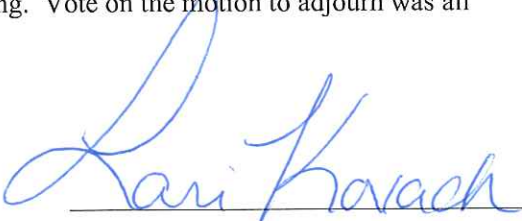
ADJOURNMENT

There being no further business to come before the Planning Commission, motion by Jeff Adie seconded by Kel Billings to adjourn the meeting. Vote on the motion to adjourn was all yeas and no nays.

The meeting was adjourned at 6:25 p.m.



Planning Commission



Planning Commission Secretary-Lori A. Kovach